IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stefano Benedetto Previdi, et al. Serial No.: 10/685,622 Filed on: October 14, 2003 For: METHOD AND APPARATUS FOR GENERATING ROUTING INFORMATION IN A DATA COMMUNICATION NETWORK	Confirmation No.: 5086 Examiner: Brenda H. PHAM Group Art Unit No.: 2616

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Commissioner for Patents
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INTERVIEW SUMMARY

Sir:

In compliance with 37 CFR 1.133 and 1.2, applicants submit this summary of a telephonic Interview with the Examiner on April 18 and 21, 2008.

The Examiner contacted applicants on April 18, 2008, and stated that calculating a delay is allegedly described in Harper U.S. Patent No. 7, 058, 016 B1 (hereinafter "Harper"), and thus applicants' claim 1, along with other independent claims, is not in condition for allowance.

During the Interview, the Examiner suggested an Examiner's Amendment by which the limitations of claims 2 and 4 should be combined with the limitations of claim 1. Similar amendments were also suggested for the remaining independent claims.

The Examiner justified her amendments by interpreting applicants' "delay" as Harper's "distance." The Examiner stated that "the longer the path, the longer the delay; the shorter the path, the shorter the delay." According to the Examiner, "Harper selects the shortest path; and the shortest path is proportional to the distance."

Further, the Examiner stated that "Harper's distance is proportional to the number of hops it takes to go from the source node to the destination node. Subsequently, since Harper calculates the shortest distance, and then chooses the shortest path, the shortest path is proportional to the delay." The applicants stated that such an interpretation of applicants' "delay" is incorrect.

During a telephonic conversation with the Examiner on April 21, 2008, the applicants pointed out that distance has nothing to do with the delay unless a link type and bandwidth are identical, and that the cost and delay depend on the form and bandwidth of the link. For example, applicants noted that the distance from Washington to San Jose is longer than from Washington to New York. However, if Washington and San Jose are linked by all optical fiber T3 links, and Washington is linked to New York by 300 baud copper wire telephone lines, then packets from Washington to San Jose will arrive before packets concurrently sent to New York. In fact, in this example, the delay in delivering the packets sent from Washington to San Jose will be smaller than the delay in delivering the packets concurrently sent to New York despite the respective distances.

Further, applicants pointed out that even if Harper assumes identical links, the selection of the shortest path cannot be said to be computation of a delay. A delay inherently exists as a physical property, and unless the physical property of a link is computed and used, Harper does not describe the features of the claim 1.

Applicants also suggested that, if at all, claim 1 (and the remaining respective independent claims), could be amended in a different manner by reciting "after the delay, updating the routing information at the first element in the sequence." However, no agreement was reached on applicants' suggestion.

Respectfully submitted,
HICKMAN PALERMO TRUONG & BECKER LLP

Dated: April 22,008

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